

Legislative Program Review and Legislative Committee

February 22, 2012

By Quincy Abbot

In Support of Raised Bill #5036: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE PROVISION OF SELECTED SERVICES FOR PERSONS WITH INTELLECTUAL DISABILITY

I am Quincy Abbot of West Hartford. My daughter with intellectual disabilities rents a condominium and is supported by a local provider through a Department of Developmental Services waiver. I chaired the Governor's Council on Mental Retardation for six years, have been President and Interim Executive Director of the Boards of Directors of several local providers and of The Arc of the United States as well as President of The Arc of Connecticut. I also have been involved with the settlement of the Mansfield Training School litigation and the Southbury Training School litigation. Today I am speaking for myself but drawing on all of my experience over the past 40 years.

I generally support the recommendations of the Committee Staff in their final report to the Committee members in January. They will improve the efficiency and cost-effectiveness of DDS enabling a better quality of life for more individuals without increasing the overall cost to the state.

A broad rule of management, whether inside or outside of government, is that a single system is more efficient and produces a better quality result than multiple systems.

- Raised Bill 5036 will move the state towards one residential system for individuals with intellectual disabilities - living in the community. It is redundant and expensive today to retain both an institutional and a community system.
- Raised Bill 5036 will also move the state towards one system operated by private providers with oversight of quality by the state. Oversight of the quality of supports by the organization providing the supports is not a best practice. This occurs with state operated residences today. The monitor of a supports system should be independent of the provider. The state should get out of providing supports and focus on monitoring the quality of supports provided by independent local providers.

I do have some concerns with details of the bill and encourage the Committee to consider the following suggestions to make the proposed legislation even better:

Section 1: Subsection (a) is inconsistent with the general approach outlined above and unnecessary. It should be eliminated. There is no compelling reason for a person to be transferred from one institution operated by the state to another institution operated by the state per items (1) and (2). Similarly there is no reason why private providers cannot design and operate residences for certain individuals as set forth in items (3) and (4).

Paragraph (b). While the intent of paragraph (b) is understandable and admirable, its administration would be difficult, if not impossible. What is important is that the staff be appropriate to meet fully the

needs of each individual within a residence. If there is staff in excess of that needed to meet such needs, then a reassignment is appropriate and desirable.

Section 2: The term defined in Section (a) is "most integrated residential setting." Section (b) uses the term "least restrictive and most integrated residential setting." Section (c) uses the term "most integrated residential setting." The term that is used should agree with the one that is defined. The intent apparently is to be consistent with the Southbury Settlement Agreement which reads:

For purposes of this agreement, the "most integrated setting" is defined as "the setting which enables persons with disabilities to interact with non-disabled persons to the fullest extent possible, "

Section 3(a): Presumably the terms "community living arrangement" and "community companion home" in paragraph (a) are intended to mean the terms as defined by DDS. They should not be open to interpretation. The terms should be capitalized to show they are the specific terms.

Section 3 (e): This section requires the posting in a conspicuous place in the residential facility of a notice that inspection reports are available and the location where such reports may be reviewed. The Community Living Arrangements and Community Companion Homes that have to meet these requirements are **homes** for the individuals living in them. The posting of a notice gives an institutional look to the home. I suggest modifying this to require such a notification at least annually to family and guardians. This could be done by mail or at the annual meeting to develop the individual's plan for the next year.

I urge the Committee to adopt this bill and to incorporate the suggestions above.